

RAYMOND C. CABALLERO  
MAYOR



**CITY COUNCIL**

JAN SUMRALL  
DISTRICT NO. 1

ROSE RODRIGUEZ  
DISTRICT NO. 2

LARRY M. MEDINA  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

LUIS G. SARIÑANA  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

REGULAR COUNCIL MEETING  
COUNCIL CHAMBERS  
NOVEMBER 13, 2001  
9:00 A.M.

The City Council met in regular session at the above place and date. Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Paul Joseph Escobar, Luis G. Sariñana and Anthony Cobos. Absent: None. Meeting was called to order and the invocation was given by Father James Alonso, San Antonio De Padua Catholic Church, followed by the Pledge of Allegiance to the Flag of the United States of America, Mayor's Proclamations & Certificates.

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A Moment of Silence was observed in memory of those who died in the airplane crash in New York City on November 12, 2001.

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Motion made by Representative Medina, seconded by Representative Sumrall, and unanimously carried to approve, as revised, all matters listed under the Consent Agenda unless otherwise noted.  
(Items approved under Consent Agenda will be shown with an asterisk {\*}).

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\*Motion made, seconded and unanimously carried to approve the Minutes for Special City Council Meeting of June 21, 2001.

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\*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Personal Services Consultant Contract between the CITY OF EL PASO, on behalf of the El Paso Fire Department, and PETER QUINLAN to provide inspection and assessment of blasting operations conducted at all quarry facilities in El Paso. Consultant will be paid at the rate of Three Thousand Seven Hundred Sixty Dollars (\$3,760.00) for an estimated three-day inspection and assessment. Consultant may be paid Eight Hundred Ninety-Five Dollars (\$895.00) for one additional day beyond the initial three days, if necessary as determined by the Fire Chief. The total contract amount shall not exceed Four Thousand Six Hundred Fifty-Five Dollars (\$4,655.00). The contract period shall be from October 23, 2001 and be completed by November 26, 2001.

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\*Motion made, seconded and unanimously carried to postpone one (1) week the Resolution that the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department to be funded through the FY2002 Direct Funding Program of the Arts Resources Department, as recommended by the Arts Resources Department's Advisory Board and Staff:

ARD	TCA	TOTAL	
El Paso Association for the Performing Arts	\$ 15,657	\$ 4,737	\$ 20,394
El Paso Symphony Orchestra	\$ 15,083	\$ 4,545	\$ 19,628
El Paso Opera	\$ 15,580	\$ 4,694	\$ 20,274
El Paso Pro-Musica	\$ 15,083	\$ 4,545	\$ 19,628
Aardvark	\$ 6,434	\$ 2,163	\$ 8,597
Bridge Center for Contemporary Art	\$ 6,434	\$ 3,607	\$ 10,041
Chamizal National Memorial/Siglo de Oro	\$ 8,614		\$ 8,614
Chamizal National Memorial/Festival	\$ 4,645	\$ 4,645	
Creative Kids	\$ 4,290	\$ 3,607	\$ 7,897
EPCC Arts & Communications Art Festival	\$ 3,797	\$ 2,128	\$ 5,925
El Paso Community Concerts	\$ 6,288	\$ 3,525	\$ 9,813
El Paso Chorale	\$ 8,428	\$ 4,545	\$ 12,973
El Paso Sungold	\$ 2,047	\$ 1,147	\$ 3,194
El Paso Wind Symphony	\$ 8,521	\$ 4,553	\$ 13,074
Gilbert & Sullivan Co. of El Paso	\$ 1,378	\$ 772	\$ 2,150
Reid Productions	\$ 819	\$ 458	\$ 1,277
Theatre Inc.	\$ 8,521	\$ 4,553	\$ 3,074
Tumblewords Project	\$ 1,937	\$ 1,085	\$ 3,022
UTEP Art Department	\$ 1,398	\$ 1,512	\$ 2,910
UTEP Languages & Linguistics	\$ 2,340	\$ 1,311	\$ 3,651
UTEP Theatre Dept.	\$ 1,283	\$ 719	\$ 2,002
UTEP Theatre Union Programs Office	\$ 6,068	\$ 1,149	\$ 7,217
<b>TOTALS:</b>	<b>\$140,000</b>	<b>\$60,000</b>	<b>\$200,000</b>

The amount for Theatre, Inc., was corrected from \$3,074 to \$13,074. Alejandrina Drew, Arts Resources Director noted other corrections and asked that the item be postponed one week to make the corrections.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign the following contracts on behalf of the Arts Resources Department for the FY2002 Young at Arts Series, as recommended by the ARD Staff. The Young at Arts Series will be held at the Chamizal National Memorial Theater.

Missoula Children's Theater for "Sleeping Beauty", January 7 through January 12, 2002; cost of \$4,185.00 for three performances and rehearsals with local talent.

Tears of Joy Theater Company for "Toad Prince", January 18 through January 19, 2002; cost of \$4,000.00 for three performances.

Gregory Popovich for "Comedy and Pet Theater", January 25 through January 26, 2002; cost of \$6,000.00 for three performances.

Barrett Felker and Allan Jacobs, to perform as "The Gizmo Guys", February 1 through 2, 2002; cost of \$5,000.00 for three performances.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Fiscal Year 2001 Emergency Shelter Grant (ESG) Contract between the City of El Paso and Project Bravo, Inc. to increase the contract amount by the amount of \$1,628.46. The August 31, 2002 termination date of the contract remains unchanged.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement granting an Underground Electrical Easement to the El Paso Electric Company on a portion of E.R. Talley Survey No. 7, El Paso County, Texas.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement for Engineering Services between the CITY OF EL PASO and Raba-Kistner Consultants (SW), Inc., for a project known as "McCombs Landfill Phase III" for an amount not to exceed ONE MILLION NINETY-ONE THOUSAND TWO HUNDRED TWENTY-FIVE AND 90/100 DOLLARS (\$1,091,225.90) and that city staff be authorized to negotiate and the Mayor be authorized to execute adjustments to this contract upon review and approval of Raba-Kistner Consultants (SW), Inc., and the City Attorney's office.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an application to cross a portion of El Paso County Water Improvement District No. 1 property known as the Cinecue Lateral, for the project known as "Knights Drive Extension Street and Drainage Improvements", such application is to include an application fee of \$500.00; and that the Mayor be authorized to submit to the El Paso County Water Improvement District No. 1 an additional \$500.00 fee for surveying costs related to this project. Total cost to the City is ONE THOUSAND DOLLARS AND 00/100 (\$1,000.00).

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Texas Department of Transportation (TxDOT) Utility Accommodation Policy Declaration and related documentation to be submitted to TxDot on behalf of the City of El Paso for the extension of Resler Drive from Helen of Troy to Trans-Mountain Drive. This Declaration will allow for the use of local Codes and Ordinances in regard to the placement of utilities within the Resler Drive construction project.

\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign and accept Modification #2 to Grant Award Cooperative Agreement #1PSWP557 relating to a federal grant to the Police Department from the Office of National Drug Control Policy, to support the West Texas HIDTA Hijack Task Force Initiative, to increase the amount of the grant by and additional \$6,000.00 for a revised total award of \$754,870.00. No matching funds are required.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign all necessary documents and accept a grant award for a Texas Highway Traffic Safety Program Grant in the amount of \$14,980.00 from the Texas Department of Transportation, for the purpose of conducting a safety belt and speed selective traffic enforcement program (STEP) for the state fiscal year 2002, and to designate city officials under the grant; that the Chief of Police be authorized to sign and submit any necessary revisions to the operational plan; and that the Mayor be authorized to execute on behalf of the City of El Paso, any grant amendments to the initial Grant Agreement which increase, decrease or deobligate program funds provided that no additional City funds are required, or which decrease the amount of matching funds, and any documents to request and accept an extension of the award ending date for the grant. In-kind match required in the amount of \$10,535.00.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Cooperative Working Agreement between the City of El Paso and the Housing Authority of the City of El Paso, in conjunction with the Housing Authority's Drug Elimination grant application to HUD. This agreement does not require or obligate any City funds.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the regular City Council meeting of January 15, 2002 be held on January 14, 2002.

Mayor Caballero explained that he had been asked to speak before the EPA on that date, and that he wanted to be present at the Council meeting.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and the firm of Lloyd, Gosselink, Blevins, Rochelle, Baldwin & Townsend, P.C., to provide legal services regarding solid waste landfill permitting before the TNRCC.

Representative Cobos asked why extra money was being spent for these services and why weren't they provided in house. First Assistant City Attorney Rita Rodriguez explained the services this law firm would supply would be highly technical. She added this firm had dealt with the TNRCC on several cases and they knew how to expedite matters. She also stated that the staff provides as much work as possible before going to these experts. She said her staff is young and hasn't received the experience to deal with this type of situation.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Professional Services Agreement between the City of El Paso and C. Robert Heath, to provide legal consulting services regarding redistricting issues.

This item was discussed with the previous request for legal consulting services. In this case Ms. Rodriguez added that Mr. Heath also had expertise with redistricting issues. Our redistricting plan is well underway, but must be finalized by May with all the legal issues in place.

Motion made by Representative Cobos, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

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Motion made by Representative Escobar, seconded by Representative Sariñana and carried to postpone one (1) week the Resolution that Alpine Remodeling, Inc. be declared to be in violation of the provisions of the Fire Station No. 14 Addition and Renovation Contract with the City of El Paso, executed December 7, 2000; and that the Contract be terminated in accordance with Section 6.9 thereof due to violation of applicable provisions of the Contract by the Contractor. Representative Sumrall voted Nay.

Representative Sumrall asked if this needed to be on the regular agenda. First Assistant City Attorney Rita Rodriguez responded that was not a requirement. Representative Sumrall wondered if anyone was present regarding this item. Ms. Gonzalo Cedillos, Deputy Director for Engineering, and Mr. Kareem Dallo, Engineering Division Manager, both addressed this item. Mr. Dallo described the events leading to the Engineering Department's decision to request this item.

Ms. Lupe Solis, Alpine Remodeling, Inc., appeared before Council and stated that the work had been done, all except for an engine which was on order and would be in by the end of December. Mr. Dallo was asked if the City ever had problems with this Company. Mr. Dallo responded they had not. After some discussion the Chief Administrative Officer, Mr. Charlie McNabb, suggested that this item be postponed one week until the Legal Department could work with Engineering to get more information on this item.

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Motion made, seconded and unanimously carried to move to the regular agenda the following:

**RESOLUTION**

**WHEREAS**, Karjée Concrete Contractors, Inc. ("Contractor") entered into a contract with the City of El Paso ("City"), executed on July 13, 2000, for the Pavo Real Recreation Center Basement Upgrade project ("Project"); and

**WHEREAS**, Contractor has failed to finish the contract within the specified time, as agreed to in the Pavo Real Recreation Center Basement Upgrade Contract ("Contract"); and

**WHEREAS**, the City has given Contractor numerous written notifications of its failure to finish the project according to Contract provisions as well as its accrual of Liquidated Damages; and

**WHEREAS**, the City has given Contractor numerous written notifications of its failure to finish the project and the City's available legal recourse, pursuant to applicable Contract provisions, should continued failure to complete said Contract continue;

**NOW, THEREFORE BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT Karjée Concrete Contractors, Inc. is hereby declared to be in violation of the provisions of the Contract in that:

1. Contractor has failed to perform the work with sufficient workmen, equipment and materials to assure the prompt completion of the work.
2. Contractor has failed to perform the work in accordance with the contract requirements.
3. Contractor has discontinued the prosecution of the work.
4. Contractor has failed to resume work that has been discontinued within a reasonable time after notice to do so.
5. Contractor has failed to carry on the work in an acceptable manner.

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT it is the intent of The City of El Paso to terminate the Contract in accordance with Section 6.9 thereof due to violation of the provisions of the Contract by the Contractor unless, within ten (10) consecutive calendar days after the serving of notice of intent to terminate upon the Contractor, such violations or delays shall cease and arrangement for correction, satisfactory to the Deputy Director of Engineering shall be made.

**BE IT FURTHER RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

THAT the City Attorney's Office shall serve upon the Contractor written notice of intent to terminate the Contract, to contain the above reasons for such intent, and unless within ten (10) consecutive calendar days after the serving of such notice upon the Contractor, such violations or delays shall cease and such satisfactory arrangement for correction be made satisfactory to the Deputy Director of Engineering, the Contract shall, upon the expiration of said ten (10) consecutive calendar days, cease and terminate. In the event of such termination, the City Attorney's Office shall immediately serve notice thereof upon the Surety and the Contractor.

Representative Escobar asked if there was anyone to speak regarding this item. There was none.

Motion made by Representative Escobar, seconded by Representative Sariñana, and unanimously carried to approve the above Resolution.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Agreement between the City of El Paso and The Texas Commission on the Arts (TCA) allowing TCA to sponsor live performances at the El Paso International Airport and to promote the online art and cultural tourism calendar on the TCA's Web site on Wednesday, November 21, 2001.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to execute the following Independent Contractor contract on behalf of the Parks & Recreation Department. Funding for this contract is in Fiscal Year 2001/2002 appropriations to be approved by the City Council, subject to approval by the City's Civil Service Commission.

**NOLAN RICHARDSON RECREATION CENTER**  
**NO. 51510074, SUB-OBJECT 502215**

- 1. CONTRACTOR: Hector A. Burciaga III, Scorekeeper
- DATES: November 19, 2001, thru March 31, 2002
- RATE PER GM: \$5.00
- MAXIMUM AMT: \$625.00
- CONTRACT: 2001/2002-075

**NATIONS TOBIN RECREATION CENTER**  
**NO. 51510099, SUB-OBJECT 502214**

- 2. CONTRACTOR: Alex Edinger, Hockey Instructor
- DATES: November 15, 2001, thru February 28, 2002
- RATE PER CL: \$6.00
- MAXIMUM AMT: \$450.00
- CONTRACT: 2001/2002-076

3. CONTRACTOR: Laith Edinger, Hockey Instructor  
DATES: November 15, 2001, thru February 28, 2002  
RATE PER CL: \$6.00  
MAXIMUM AMT: \$450.00  
CONTRACT: 2001/2002-077

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Personal Services Contract between the **CITY OF EL PASO** and **JOSE G. COBIAN** as an Accounting Technician for the City's Comptroller Department at the rate of \$12.22 per hour, not to exceed 40 hours per week. The contract period shall be from December 4, 2001 through June 4, 2002.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign an Amendment to the Personal Services Contract between the **CITY OF EL PASO** and **ERNESTO PORRAS** as a PC LAN Specialist for the Information Services Department to change the amount of bi-weekly compensation to \$1,398.40.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the **CITY OF EL PASO** and **ROSARIO ANDUJO** for the Richard Burges Branch of the El Paso Public Library.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Cooperative Work Study Contracts between the **CITY OF EL PASO** and **DAVID LEE UBINGER** and **DENISE QUINTANA** for the El Paso Library. Employees shall be paid at the rate of \$5.34 per hour, not to exceed 20 hours per week without permission from CoOp Coordinator, in which case employees may work up to 40 hours per week, and will be reimbursed for mileage, not to exceed 150 miles per week or a total of \$51.75 per week. The term of the contracts is from November 15, 2001 through November 14, 2002.

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Volunteer Services Agreement between the **CITY OF EL PASO** and **DAVID CARMICHAEL** for the El Paso Public Library. There is no cost to the City.



\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign Volunteer Services Agreement between the **CITY OF EL PASO** and the following volunteers for the Armijo Branch of the El Paso Public Library. There is no cost to the City.

SAUL A. SOTO  
TIFFANY ANDERSON  
HYUNJUNG KIM  
LETICIA Y. NAVARRO

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\*RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor be authorized to sign a Volunteer Services Agreement between the City of El Paso and the following volunteers for the Armijo Branch Library. There is no cost to the City.

NANCY IVONNE CHAPARRO  
CYNTHIA L. RUIZ

JESUS HERRERA  
SERGIO ARANDA

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\*Motion made, seconded and unanimously carried to approve the authorization that \$500.00 be allocated from Representative Rodriguez' District 2 Discretionary Funds to the Wellington Chew Senior Citizen Center to assist with the Center's New Year's Party.

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\*Motion made, seconded and unanimously carried to approve the request to expend \$4,000.00 from District 1 Special Projects Fund to spay/neuter pets of senior citizens (age 60 & over) by Representative Jan Sumrall.

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\*Motion made, seconded and unanimously carried to approve the following Notice of Public Hearing:

NOTICE OF PUBLIC HEARING

You are hereby notified that at 9:00 a.m. on the 4<sup>th</sup> day of December, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 6059 Deer Avenue, in El Paso, Texas, which property is more particularly described as:

Lot: 35, Block 6, Deer Valley Unit One, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 55, Page 31, plat Records of El Paso County, Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Doyal S. Henderson & Darleen E. Henderson, 549 County Line Rd., Chaparral, NM 88001, and Amada Arrieta, 1322 N. Nursery, Apt. 264, Irving, TX 75061, are listed as the Owners of the real property described herein.

The Owners of said property are hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owners, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the property into compliance with Municipal Code 18.52.040 and the time it will take to reasonably perform the work.

If the Owners fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owners, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owners for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owners show that the property is the Owner's lawful homestead and;
- III) the Owners may be confined in jail as permitted by state law and;
- IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owners and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

\*Motion made, seconded and unanimously carried to approve the following Notice of Public Hearing:

## NOTICE OF PUBLIC HEARING

You are hereby notified that at 9:00 a.m. on the 4<sup>th</sup> day of December, 2001 in the Council Chambers of City Hall, #2 Civic Center Plaza, El Paso, Texas, the City Council of El Paso will hold a public hearing on the question of whether the Building located on the property at 122 Locust Street, in El Paso, Texas, which property is more particularly described as:

Lots: The South one-half (1/2) of Lot twenty-nine (29), and all of lots thirty (30), thirty-one (31), and thirty-two (32), Block five (5), Orchard Park Addition, an Addition to the City of El Paso, El Paso County, Texas, according to the plat thereof, recorded in Volume 15, Page 31, Plat Records of El Paso County Texas

is unsafe and dangerous.

According to the real property records of the County of El Paso, Texas, Blaza Perez, P. O. Box 9245, El Paso, Texas 79995, is listed as the Owner of the real property described herein.

The Owner of said property is hereby ordered to appear before City Council and any mortgagees, lien holders, and other persons having an interest in said property are entitled to appear before City Council at said date, hour, and place to show cause why said Building should not be declared a nuisance and ordered to be abated; and

The Owner, lien holders, mortgagees, or any other person having an interest in the property are hereby required to submit at the hearing proof of the scope of any work that may be required to bring the property into compliance with Municipal Code 18.52.040 and the time it will take to reasonably perform the work.

If the Owner fail, neglect or refuse to comply with the order of City Council the City may pursue one, or more of the following actions:

- I) the city will perform any and all work needed to bring the property into compliance with this order, at its own expense, but for and on account of the Owner, of said property, the cost of which shall be assessed as a lien against the property and;
- II) assess a civil penalty against the property Owner for failure to repair, remove or demolish said Building in an amount not to exceed \$1000.00 a day for each violation, or \$10 a day if the Owner show that the property is the Owner's lawful homestead and;
- III) the Owner may be confined in jail as permitted by state law and;

IV) appoint a receiver as permitted by state law.

Any civil penalty or assessment imposed will accrue interest at a rate of ten (10) percent a year from the date of the assessment until paid in full; and

That the City Clerk is ordered to provide notice of this hearing to the record Owner and all other persons having an interest in the property as provided by law.

According to the real property records of El Paso County, you own the property described in this notice. If you no longer own the property, you must execute an affidavit stating that you no longer own the property and stating the name and last known address of the person who acquired the property from you. The affidavit must be delivered in person or by certified mail, return receipt requested, to this office no later than the 20<sup>th</sup> day after the date you receive this notice. If you do not send the affidavit, it will be presumed that you own the property described in this notice, even if you do not.

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\*Motion made, seconded and unanimously carried that the street and drainage improvements in the Ridge View Estates Unit Seven Subdivision be accepted for maintenance by the City. The improvements within the stated limits have been completed in accordance with the approved plans and specifications.

High Ridge Drive - from the west property line of Lot 26, Block 14 to the east property line of Lot 38, Block 16  
Wind Ridge Drive - from the west property line of Lot 23, Block 16 to High Ridge Drive  
Brook Ridge Circle - from the west property line of Lot 19, Block 15 to Wind Ridge Drive  
Wood Ridge Place - from the Wind Ridge Drive to the end of the cul-de-sac

50 ft. Drainage Channel R.O.W. - at Tract 1B; 1270.49' x 38.0' x 5.0' deep Reinforced Concrete Channel; 2240.0' x 6.0' high of Rockwall with Chain Link Fence; 200.0' x 6.0' high of Chain Link Fence; and an 18.0' of Double Swing Gate

Wind Road Drive - 2-5 Grate Drop Inlet Type I; and 72.0' of 18.0' R.C.P.

15 ft. Drainage Easement - between Lots 22 and 23, Block 16; and 160.0' of 30.0" R.C.P.

\*Motion made, seconded and unanimously carried to re-appoint Neil Anthony Grieshop, M.D. to the El Paso Fire Department Medical Services Policy Board (Physician Member) by Representative Jan Sumrall.

\*Motion made, seconded and unanimously carried to re-appoint Jan Sumrall to the City/County Animal Shelter Advisory Committee by Representative Medina.

\*Motion made, seconded and unanimously carried to approve installation, power, and maintenance of residential street light(s) at the following location(s):

- A.** Between SW corner of Desert Hills Ln. (corner of 9547 Desert Ridge) for \$899.00.  
**B.** Between 408-412 San Pablo Place for \$999.00.  
**C.** Two lights at Rufus Brijalba (Dick Shinaut Park) with one intermediate pole at proposed locations as recommended by El Paso Electric in the amount of \$2,297.00.

Motion made, seconded and unanimously carried to award Bid No. 2001-275 Welder/Generators

Award To:	Airgas-Southwest, Inc. El Paso, Texas
Item(s):	1 with Optional Items O1-2, O1-3, O1-4, O1-5, O1-6
Amount:	\$10,068.53
Department:	Street
Funds Available:	04250101-508009-PMB0001-130
Funding Source:	FY2000 Contractual Obligations
Total Award:	\$10,068.53

The Street and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Additionally, it is requested that all bids for Item 2 be rejected. Item will be re-bid with revised specifications.

This is a fixed-price, single (one-time) purchase, to purchase one 56 HP Welder/Generator. There is an option to purchase up to one hundred percent (100%) of the original contract quantities, at the same unit price, if the option is exercised within ninety (90) days from the date of award of the contract. A 1% discount is offered if payment is made within 10 days.

\*Motion made, seconded and unanimously carried to award Bid No. 2001-287 Airport Security Cameras Replacement & Installation

Award To: Sound & Signal System of Texas, Inc.  
El Paso, Texas  
Item(s): All  
Amount: \$32,422.50  
  
Department: Department of Aviation  
Funds Available: 62620020-508009-P500004-41022  
Funding Source: Airport Enterprise Fund  
Total Award: \$32,422.50

The Department of Aviation and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

This is a fixed-price, single (one-time) purchase, for the replacement and installation of security cameras, at the El Paso International Airport.

Vendor does not offer a prompt pay discount.

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\*Motion made, seconded and unanimously carried to award Bid No. 2001-298 Zoo Animal Food

Award To: Vendor (1) Valley Feed & Supply, Inc.  
El Paso, Texas  
Item(s): Group II (all)  
Amount: \$45,048.93 (estimated annually)

Award To: Vendor (2) H & J Pet Food  
Dekalb, Texas  
Item (s): Group V, 1 to 8  
Amount \$7,316.00 (estimated annually)

Award To: Vendor (3) Louie & Son Produce, Inc.  
El Paso, Texas  
Item(s): Group I (all)  
Amount: \$37,775.80 (estimated annually)

Department: El Paso Zoo  
Funds Available: 52152003-503110  
Funding Source: General Fund  
Total Award: \$90,140.73

The Zoo and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Group III will not be awarded, only one bidder and the bidder specified they can only deliver in three bulk shipments. The quantities specified cannot be stored in the Zoo commissary, there is not enough freezer space.

Group IV will not be awarded, is not needed at the present time, will re-bid at a later date.

Group V, items #9,10, 11 & 12 will not be awarded, requested items have been replaced by another product.

Vendor #1 offers the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

Vendor #3 offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within two (2) years from the date of the award.

No prompt payment discount has been offered.

This is a Requirements Type Contract with an initial term of Twenty Four (24) months.

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2001-299 Photographic Supplies

Award To:	Vendor (1)	Samy's Camera Los Angeles, California
Item(s):		Group I (all items)
Amount:		\$4,626.80 (estimated annually)
Award To:	Vendor (2)	HPI Int'l, Inc. Brooklyn, New York
Item(s):		Group II (all items), Group III (all items)
Amount:		\$15,972.34 (estimated annually)
Award To:	Vendor (3)	Camera & Darkroom Albuquerque, New Mexico
Item(s):		Group IV (all items)
Amount:		\$4,091.83 (estimated annually)
Department:		Police Department
Funds Available:		21010059-503107
Funding Source:		General Fund
Total Award:		\$24,690.97

The Police and Purchasing Departments recommend award as indicated to the lowest responsive offer meeting specifications, from responsible parties.

Awards are recommended to the lowest overall responsive bidder in each Group, (all items in each Group).

Vendors #1 & #2 offer the City the option to extend the term of the contract at the same unit prices for one (1) additional year if the option is exercised within one (1) year from the date of the award.

Vendor #3 offers the City the option to extend the term of the contract at the same unit prices for two (2) additional years if the option is exercised within one (1) year from the date of the award.

Vendor #3 also offers the City a prompt payment discount of 1% 10 days.

This is a Requirements Type Contract with an initial term of Twenty Four (24) months.

.....

\*Motion made, seconded and unanimously carried to award Bid No. 2001-300 Type II Waterborne Traffic & Airfield Marking Paint

Award To: Ennis Paint, Inc.  
Ennis, Texas  
Item(s): All  
Amount: \$24,000.00 (estimated annually)  
  
Department: Department of Aviation  
Funds Available: 62620003-503121-40101  
Funding Source: Inventory Purchases-Material & Supplies  
Total Award: \$24,000.00 (estimated annually)

The Department of Aviation and the Purchasing Department recommend award as indicated. They are the low, responsive, and responsible bidder meeting specifications.

This is a twenty-four (24) month requirements-type Contract for Type II Waterborne Traffic & Airfield Marking Paint for the El Paso International Airport. The Contract will officially begin at 12:01 a.m., November 14, 2001.

Vendor offers the City the option of extending the term of the contract for twenty-four (24) additional months at the same unit prices, if the option is exercised within one (1) year or two (2) years from the date of award of the contract.

Vendor does not offer a prompt payment discount.

.....  
\*Motion made, seconded and unanimously carried to award Bid No. 2002-013 Municipal Service Center Tire Shop Improvements Rebid

Contractor: NLR Builders, Inc.  
El Paso, Texas  
Department: Equipment Maintenance  
Funds available: 31000-31135001-P501545-27123-508027  
Funding source: 98A CO's  
  
Base Bid: \$187,421.00  
Total Award: \$187,421.00

#### **RECOMMENDATION:**

The Purchasing Department recommends the award of this contract to NLR Builders, Inc. the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$25,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

**DESCRIPTION OR EXPLANATION:**

Base Bid: \$187,421.00  
TOTAL RECOMMENDED AWARD: \$187,421.00

.....  
Motion made, seconded and unanimously carried to move to the regular agenda Bid No. 2002-024 Stadium Seating at Cohen Stadium.

Representative Cobos asked where the funding was located. Mr. Byron Johnson, Purchasing Director responded that this was approved as one of the quality of life bond issues in May, 2000.

Motion made by Representative Cook, seconded by Representative Escobar and carried to award Bid No. 2002-024 Stadium Seating at Cohen Stadium.

Representative Medina voted Nay.

Award To: The John F. Clark Company, Inc.  
Dallas, Texas  
Base Bid: \$45,752.00  
Amount: \$45,752.00  
  
Department: Parks & Recreation  
Funds Available: 51202-31130500-PW0046011-26252-508027  
Funding Source: COs  
Total Award: \$45,752.00

**RECOMMENDATION:**

The Purchasing Department recommends the award of this contract to The John F. Clark Company, Inc., the low responsible, responsive bidder. It is requested that the Mayor of the City of El Paso be authorized to sign the referenced contract approved by the Deputy Director for Engineering, Contract Compliance, and the City Attorney. Additionally, it is requested that the Mayor be authorized to execute budget transfers for this award and project, as necessary.

As part of the award of this contract, the Director of Public Works is authorized to approve contract changes which are necessary for proper construction of the work and carrying out the intent of the design, but which do not increase the scope of the contract as awarded, in an amount not to exceed \$10,000 per numbered change order, and not to exceed the total of 10% of the original contract price as awarded, without further authorization by City Council.

**DESCRIPTION OR EXPLANATION:**

Base Bid: \$45,752.00  
TOTAL RECOMMENDED AWARD: \$45,752.00

.....



\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-049 PARKS & RECREATION

This establishes the appropriation for the Project Spotlight Grant for North Loop funded through El Paso County Juvenile Probation Department.

Increase	\$18,017.76	to	51150025/G51020507273/406002	Local Grant Proc
Increase	\$11,007.96	to	51150025/G51020507273/501011	PT Temp
Increase	\$ 954.64	to	51150025/G51020507273/501100	Workers Comp
Increase	\$ 51.92	to	51150025/G51020507273/501101	Unemployment Comp
Increase	\$ 731.61	to	51150025/G51020507273/501129	FICA City Match
Increase	\$ 174.64	to	51150025/G51020507273/501130	FICA Med
Increase	\$ 246.99	to	51150025/G51020507273/503100	Office Supplies
Increase	\$ 1,200.00	to	51150025/G51020507273/503116	Rec Supplies
Increase	\$ 150.00	to	51150025/G51020507273/503112	Clinical Supplies
Increase	\$ 500.00	to	51150025/G51020507273/502214	Instructional Contract
Increase	\$ 300.00	to	51150025/G51020507273/504203	Mileage Allow
Increase	\$ 2,700.00	to	51150025/G51020507273/504422	Field Trips

\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-050 PARKS & RECREATION

This establishes the appropriation for the Project Spotlight Grant for Northeast area funded through El Paso County Juvenile Probation Department.

Increase	\$14,107.24	to	51150025/G51020607274/406002	Local Gnt Proc
Increase	\$ 9,440.24	to	51150025/G51020607274/501011	PT Temp
Increase	\$ 767.49	to	51150025/G51020607274/501100	Workers Comp
Increase	\$ 41.54	to	51150025/G51020607274/501101	Unemployment Comp
Increase	\$ 585.29	to	51150025/G51020607274/501129	FICA City Match
Increase	\$ 136.88	to	51150025/G51020607274/501130	FICA Med
Increase	\$ 175.00	to	51150025/G51020607274/503100	Office Supplies
Increase	\$ 1,000.00	to	51150025/G51020607274/503116	Rec Supplies
Increase	\$ 75.00	to	51150025/G51020607274/503112	Clinical Supplies
Increase	\$ 200.00	to	51150025/G51020607274/504203	Mileage Allow
Increase	\$ 1,685.80	to	51150025/G51020607274/504422	Field Trips

\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-070 COMMUNITY DEVELOPMENT

This transfer increases the construction line item of the Mesa Terrace subdivision street, sidewalk and parkway improvements, a 27<sup>th</sup> year (2001, 2002) project, in order to accept the construction bid with alternates and assure that all the streets in the subdivision are included in the project.

Increase	\$38,000	to	71150031/G7127CD001107635/508027	Construction
Decrease	\$38,000	from	71150047/G7126CD000210007/508027	Construction

\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-072 PARKS & RECREATION

This Budget Transfer requests an increase in appropriation to fund the reconstruction of the entrance stairways to the McKelligon Canyon Amphitheater. These stairs are unsafe and require reconstruction.

Increase	\$35,000	to	51010280/P50020616306/407002	Est Revenue
Increase	\$35,000	to	51010280/P50020616306/508003	Bldg Improvements

\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-073 PARKS & RECREATION

This Budget Transfer requests an appropriation increase to fund the construction of a pavillion at Madeline Park.

Increase	\$8,500	to	51010279/P50020116301/407002	Est Rev
Increase	\$8,500	to	51010279/P50020116301/508001	Land Improvements

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-077 HEALTH  
TDH amended the Sexually Transmitted Disease Activities Contract by the amount of \$1,857. This additional money is a one time funding. The additional \$1,857 is for equipment that needs to be purchased by December 31, 2001.

Increase	\$1,857	to	41150018/G41022006054/406001	Fed Grnt Proc
Increase	\$1,857	to	41150018/G41022006054/508010	Data Proc Equip

.....  
\*Motion made, seconded and unanimously carried to approve budget transfer BT2002-080 COMMUNITY DEVELOPMENT

This Budget Transfer establishes the Public Service Board budgets of the following construction projects: Carpenter Addition, Frutas Avenue, Mesa Terrace Subdivision, Nichols Road, Dale Road, Wooldridge Street and San Juan Placita. All are 27<sup>th</sup> year (2001-2002) Community Development Projects.

Increase	\$68,439	to	71150065/G7127PS001411062/406002	Local Grt Proc
Increase	\$68,439	to	71150065/G7127PS001411062/508027	Construction
Increase	\$ 7,500	to	71150065/G7127PS002211066/406002	Local Grt Proc
Increase	\$ 7,500	to	71150065/G7127PS002211066/508027	Construction
Increase	\$27,750	to	71150065/G7127PS002411067/406002	Local Grt Proc
Increase	\$27,750	to	71150065/G7127PS002411067/508027	Construction
Increase	\$ 3,000	to	71150065/G7127PS002111068/406002	Local Grt Proc
Increase	\$ 3,000	to	71150065/G7127PS002111068/508027	Construction
Increase	\$18,750	to	71150065/G7127PS002311065/406002	Local Grt Proc
Increase	\$18,750	to	71150065/G7127PS002311065/508027	Construction
Increase	\$35,000	to	71150065/G7127PS001111064/406002	Local Grt Proc
Increase	\$35,000	to	71150065/G7127PS001111064/508027	Construction
Increase	\$86,000	to	71150065/G7127PS001511063/406002	Local Grt Proc
Increase	\$86,000	to	71150065/G7127PS001511063/508027	Construction

.....  
\*Motion made, seconded and unanimously carried to approve the request of City of El Paso Parks and Recreation/Aquatics Division to hold a Christmas Light Parade on December 1, 2001 from 6:00 p.m. to 8:00 p.m. Route: Parade will flow west on Mills, turn north on Campbell, west on Main, south on Oregon, east on Mills past Campbell and disperse as it was staged using Virginia, Ochoa, etc. Approximately 400 persons, 50 vehicles, 10 animals and 15 floats will take part and 30,000 spectators are anticipated. PERMIT NO. 01-156.

.....  
\*Motion made, seconded and unanimously carried to approve the request of YMCA of Greater El Paso to hold the 25<sup>th</sup> Annual Turkey Trot 5k Run/Walk on November 22, 2001 from 7:30 a.m. to 9:00 a.m. Route: Start at Montana at Ochoa, left on Williams, right on Rio Grange, right on Willow, right on Montana, turnaround at Brown, left on Willow, left on Rio Grande, left on Williams, right on Montana. Approximately 1,200 persons will participate and 200 spectators are anticipated. This request includes permission to use amplification (amplifier with one microphone). PERMIT NO. 01-158.

\*Motion made, seconded and unanimously carried to delete an Ordinance granting a Special Privilege to Aventis Behring, Owner, permitting the encroachment of two wall signs onto public right-of-way at 720 Texas Street. Fee: \$3,300.00. SP-01015.

\*Motion made, seconded and unanimously carried to delete an Ordinance granting a Special Privilege to Aventis Behring, Owner, permitting the encroachment of one wall sign onto public right-of-way at 3515 Alameda Avenue. Fee: \$1,650.00. SP-01016.

ORDINANCE 14970

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF A PORTION OF LOT 3, BLOCK 55, RANGERS REST SUBDIVISION UNIT ONE, CITY OF EL PASO, EL PASO COUNTY, TEXAS (1015 NORTH ZARAGOZA ROAD) FROM R-4 (RESIDENTIAL) TO C-1 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

There was no public comment.

Motion duly made by Representative Sariñana, seconded by Representative Escobar that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14971

The City Clerk read an Ordinance entitled: **AN ORDINANCE CHANGING THE ZONING OF ALL OF LOTS 7 AND 8, BLOCK 4, VALLE ENCANTADO, EL PASO, EL PASO COUNTY, TEXAS (492 AND 496 LINK DRIVE) FROM C-1 (COMMERCIAL) TO C-3 (COMMERCIAL). THE PENALTY BEING AS PROVIDED IN SECTION 20.68.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Escobar asked if there was any opposition to this ordinance. Ms. Pat Adaauto, Director of the Planning Department, responded there was no opposition. She commented this was recommended for denial by the Department Heads Coordinating Committee and the City Plan Commission. She added that the Plan for El Paso designates this property for residential use.

Motion duly made by Representative Escobar, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: Council Member Sumrall Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

Motion made by Representative Escobar, seconded by Representative Sumrall and unanimously carried to postpone one (1) week an Ordinance to amend Title 13 (Streets, Sidewalks and Public Places), Chapter 13.24 (City Parks and Recreation Areas), Section 13.24.200 (Rental Rates and User Fees Authorization) to establish or increase program, activity, league and tournament fees.

.....  
ORDINANCE 14972

The City Clerk read an Ordinance entitled: **AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE A QUITCLAIM (TAX RESALE) DEED FOR TRACT 9-N (1.95 ACRES), BLOCK 18, SAN ELIZARIO GRANT, AN ADDITION IN EL PASO COUNTY, TEXAS.**

There was no public comment.

Motion duly made by Representative Sariñana, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....  
ORDINANCE 14973

The City Clerk read an Ordinance entitled: **AN ORDINANCE ADOPTING AN ORDER CONCLUDING THAT THE RATE REQUEST FILED BY TIME WARNER COMMUNICATIONS ("TIME WARNER") WAS FACIALLY INCOMPLETE, AND TOLLING VARIOUS TIME PERIODS IN ACCORDANCE WITH 47 CFR 76.933(G) AND 47 CFR 76.937 (E) AND PROVIDING AN EFFECTIVE DATE.**

Representative Sumrall made a motion to postpone. There was no second. Assistant City Attorney John Nance explained this Ordinance and commented on the deadlines.

Motion duly made by Representative Sumrall, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

.....

ORDINANCE 14974

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.030 (SCHEDULE III - PARKING PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO INCLUDE; OVERLAND AVENUE BETWEEN FLORENCE STREET AND OCHOA STREET; FLORENCE STREET BETWEEN SAN ANTONIO AVENUE AND OVERLAND AVENUE; SAN ANTONIO AVENUE BETWEEN CAMPBELL STREET AND KANSAS STREET; MYRTLE AVENUE BETWEEN CAMPBELL STREET AND KANSAS STREET; CAMPBELL STREET BETWEEN SAN ANTONIO AVENUE AND MYRTLE AVENUE; KANSAS STREET BETWEEN SAN ANTONIO AVENUE AND MYRTLE AVENUE; THE WEST SIDE OF OCHOA STREET BETWEEN SAN ANTONIO AVENUE AND OVERLAND AVENUE; THE SOUTH SIDE OF SAN ANTONIO AVENUE BETWEEN FLORENCE STREET AND OCHOA STREET. THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

Representative Cobos commented on this ordinance and asked if he could make one motion for all three Traffic Ordinances.

Ms. Terry Acosta, Deputy Chief, U. S. Probation Office, appeared before Council and asked that this be approved. She thanked the Council for adopting the emergency Ordinance which removed parking near the federal building and for their cooperation.

Mr. Antonio Cordova, senior citizen, appeared before Council expressing his concerns for lack of parking in the area adjacent to the federal buildings.

Representative Cobos responded on the necessity for safety in the area.

Motion duly made by Representative Cobos, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos  
NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14975

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), SECTION 12.88.040 (SCHEDULE IV - PARKING PROHIBITED DURING CERTAIN HOURS ON CERTAIN STREETS) TO INCLUDE THE NORTH SIDE OF SAN ANTONIO AVENUE BETWEEN FLORENCE STREET AND OCHOA STREET; THE EAST SIDE OF OCHOA STREET BETWEEN SAN ANTONIO AVENUE AND OVERLAND AVENUE; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

See comments with Ordinance 14974.

Motion duly made by Representative Cobos, seconded by Representative Medina that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

ORDINANCE 14976

The City Clerk read an Ordinance entitled: **AN ORDINANCE AMENDING TITLE 12 (VEHICLES AND TRAFFIC), CHAPTER 12.88 (SCHEDULES), AND CREATING SECTION 12.88.210 (SCHEDULE XVIII - PARKING OF COMMERCIAL VANS AND COMMERCIAL TRUCKS PROHIBITED AT ALL TIMES ON CERTAIN STREETS) TO INCLUDE THE NORTH SIDE OF SAN ANTONIO AVENUE BETWEEN FLORENCE STREET AND OCHOA STREET; THE EAST SIDE OF OCHOA STREET BETWEEN SAN ANTONIO AVENUE AND OVERLAND AVENUE; THE PENALTY BEING AS PROVIDED IN SECTION 12.84.010 OF THE EL PASO MUNICIPAL CODE.**

See comments with Ordinance 14974.

Motion duly made by Representative Cobos, seconded by Representative Sariñana that the Ordinance be adopted. Whereupon the Mayor ordered that a vote be taken on the passage and adoption of the Ordinance which when so done resulted as follows:

AYES: Council Members Sumrall, Rodriguez, Medina, Cook, Power, Escobar, Sariñana and Cobos

NAYS: None Absent: None

Whereupon the Mayor ordered that the vote having been cast in favor of the Ordinance, the same be and the same is hereby adopted.

**RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01019, FOR A PORTION OF LOT 2, BLOCK 2, REDD ROAD I-10 BUSINESS PARK, EI PASO, EL PASO COUNTY, TEXAS (5385 SOUTH DESERT BOULEVARD), PURSUANT TO A CONTRACT CONDITION.**

WHEREAS, **I-10/Redd Road Business Park, L. P.** (the "Applicant") has applied for approval of a detailed site development plan pursuant to a contract condition, to permit the construction and development of car rental office;

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant to permit the construction and development of a car rental office on the following described property, which is located in a C-3/sc/c (Commercial/special contract/conditions) District:

*A portion of Lot 2, Block 2, REDD ROAD I-10 BUSINESS PARK, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached Exhibit "A"; and municipally known and numbered as 5385 South Desert Boulevard. (Exhibit on file with this Resolution in the City Clerk's Office.)*

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto as Exhibit "B" and incorporated herein by reference. (Exhibit on file with this Resolution in the City Clerk's Office.)

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the C-3/sc/c (Commercial/special contract/conditions) District regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the C-3/sc/c (Commercial/special contract/conditions) District regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to approve the above Resolution.

.....  
**RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01020, FOR A PORTION OF LOT 2, BLOCK 2, REDD ROAD I-10 BUSINESS PARK, EL PASO, EL PASO COUNTY, TEXAS (5415 SOUTH DESERT BOULEVARD), PURSUANT TO A CONTRACT CONDITION.**

WHEREAS, **I-10/REDD ROAD BUSINESS PARK, L.P.** (the "Applicant") has applied for approval of a detailed site development plan pursuant to a contract condition, to permit the construction and development of a paint and body shop; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant to permit the construction and development of a paint and body shop on the following described property, which is located in a **C-3/sc/c (Commercial/special contract/conditions) District**:

*A portion of Lot 2, Block 2, REDD ROAD I-10 BUSINESS PARK, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally known and numbered as 5415 South Desert Boulevard. (Exhibit on file with this Resolution in the City Clerk's Office.)*

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference. (Exhibit on file with this Resolution in the City Clerk's Office.)

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-3/sc/c (Commercial/special contract/conditions) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-3/sc/c (Commercial/special contract/conditions) District** regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to approve the above Resolution.

.....  
**RESOLUTION APPROVING DETAILED SITE DEVELOPMENT PLAN NO. DP-01021, FOR A PORTION OF LOT 1, BLOCK 1, REDD ROAD I-10 BUSINESS PARK, EL PASO, EL PASO COUNTY, TEXAS (5625 SOUTH DESERT BOULEVARD), PURSUANT TO A CONTRACT CONDITION.**

WHEREAS, **I-10/REDD ROAD BUSINESS PARK, L.P.** (the "Applicant") has applied for approval of a detailed site development plan pursuant to a contract condition to permit the construction and development of a new Chevrolet dealership; and

WHEREAS, a report was made by the staff to the City Plan Commission and a public hearing was held regarding such application;

WHEREAS, the City Plan Commission has recommended approval of the subject detailed site development plan; and

WHEREAS, the subject detailed site development plan has been submitted to the City Council of the City of El Paso for review and approval;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:



1. Pursuant to Section 20.04.150 of the El Paso Municipal Code, the City Council hereby approves the detailed site development plan submitted by the Applicant to permit the construction and development of a new Chevrolet dealership on the following described property, which is located in a **C-3/sc/c (Commercial/special contract/conditions) District**:

*A portion of Lot 1, Block 1, REDD ROAD I-10 BUSINESS PARK, El Paso, El Paso County, Texas, as more particularly described by metes and bounds in the attached and incorporated Exhibit "A"; and municipally known and numbered as 5625 South Desert Boulevard. (Exhibit on file with this Resolution in the City Clerk's Office.)*

A copy of the approved detailed site development plan, signed by the Applicant, the Mayor and the Secretary of the City Plan Commission, is attached hereto, as Exhibit "B" and incorporated herein by reference. (Exhibit on file with this Resolution in the City Clerk's Office.)

2. All construction and development on the property shall be done in accordance with the approved detailed site development plan and the development standards applicable in the **C-3/sc/c (Commercial/special contract/conditions) District** regulations.

3. The Applicant shall sign an agreement to develop the property and to perform all construction thereon in accordance with the approved detailed site development plan and the standards applicable in the **C-3/sc/c (Commercial/special contract/conditions) District** regulations. Such agreement shall be signed and filed with the Zoning Administrator and the Executive Secretary of the City Plan Commission before building permits are issued.

4. This approval shall be void if construction on the property is not started in accordance with the approved detailed site development plan within four (4) years from the date hereof.

Motion made by Representative Sumrall, seconded by Representative Medina and unanimously carried to approve the above Resolution.

.....  
\*Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 537 Emerson Street in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owner of this property, Alfredo Nava, 7733 Rosedale Street, has been notified of the violations at this property.

.....  
\*Motion made, seconded and unanimously carried to postpone four (4) weeks the public hearing to determine if the Council Resolution of September 12, 2001, for the property located at 2506 San Jose Avenue, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owners of this property, Herminio & Rose Marie B. Arteaga, 2506 San Jose Avenue, have been notified of the violations at this property.

.....  
\*Motion made, seconded and unanimously carried to delete the public hearing to determine if the property located at 8704 Lawson Drive, in the City of El Paso (legal description on file with the City Clerk) is a fire and safety hazard, and a nuisance and whether the same should be repaired or demolished. The owners of this property, Thomas F. Hudson, Jr., and Helena H. Hudson, 4920 Aiken Lane, have been notified of the violations at this property.

\*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of September 12, 2001, for the property located at 236 Candelaria Street, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owners of this property, Victor & Triny Marquez, 11660 Stockmeyer Drive, have been notified of the violations at this property.

.....  
\*Motion made, seconded and unanimously carried to delete the public hearing to determine if the Council Resolution of September 18, 2001, for the property located at 2731 Portland Avenue, in the City of El Paso (legal description on file with the City Clerk) has been complied with and to determine penalties if the Council Order has not been complied with. The owner of this property, Marcelino Castillo, 2731 Portland Avenue, has been notified of the violations at this property.

.....  
Motion made by Representative Cook, seconded by Representative Sariñana and unanimously carried to allow City Staff along with County Staff to select a site for the new Animal Shelter and forward the location to Council for final action.

Mr. Ed Drusina, Director of Public Works, presented information regarding this item. Representative Cook stated he was disappointed the selection had not been narrowed down to one site. Representative Sumrall asked that this be moved along as quickly as possible. Representative Power agreed with Representative Sumrall and commented on the agreement with the County.

Representative Sariñana stated it would be in the best interests of the City to build the Shelter on Valley Crest because this is a good location. Representative Sumrall commented on how far the location would be from the west side and stated we need something more central.

The recommendation was that the Director of Public Works meet with Commissioner Scruggs to bring back a site for Council action. It was clarified to allow City and County staff to meet.

.....  
Motion made by Representative Cobos, seconded by Representative Rodriguez and unanimously carried to deny the appeal of Mr. Arenas regarding the decision of the Historic Landmark Commission concerning the property at 2809 Wheeling. (Appeal of Vidal Arenas)

Since Mr. Vidal Arenas was not present, a motion was made to delete this item. This was later withdrawn.

Assistant City Attorney Cindy Celum explained the circumstances around this appeal. She stated the property owner did not file the appeal. The Historic Landmark Commission granted the request of the property owner and Mr. Arenas is opposed. Mr. Arenas was not present. She recommended that the item be approved, denied or postponed, but not deleted.

.....  
Motion made by Representative Cook, seconded by Representative Cobos and carried to appoint Regina B. Arditti to fill the unexpired term of Municipal Judge, Court No. 4, City of El Paso, Texas.

Representative Escobar voted Nay.

Representative Escobar stated this item is to fill the unexpired term of Robert Anchando who resigned to run for a new County Court. He said the Legislative Review Committee which he chairs, along with Representative Sumrall and Representative Cobos, interviewed a lot of good and qualified candidates and have come up with a list of four names, even though the Ordinance requires that three be submitted. He said the Committee does not have a recommendation but if the candidates are here and would to speak before the vote, now is the opportunity.

Representative Cook commented that most of the Council have spoken with the candidates and agreed that excellent choices were given to Council by the Committee and that he felt none of Council wanted to vote against any of the four. They are all worthy candidates, he said, but going through the interviews and resumes one rose above the others. He made a motion to appoint Regina B. Arditti.

Mr. Roberto Sandoval made comments about his being the senior judge and thanked the Legislative Review Committee.

Representative Sumrall made comments and asked if any of the candidates were present and desired to speak.

Ms. Regina B. Arditti expressed her thanks and stated her commitment to serving as Judge, Court No. 4.

Representative Cobos commented on how fortunate it was for the City to have such a solid pool of candidates to choose from.

.....  
RESOLUTION

BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:

That the Mayor is hereby authorized to sign accepting a Special Warranty Deed from International City Developers, Inc. for a parcel of land more particularly described as a portion of Section 23, Block 81, Township 1, Texas & Pacific Railway Company Surveys, City of El Paso, El Paso County, Texas, to be dedicated to the City for use as a drainage facility.

Ms. Pat Adauto, Director of the Planning Department responded to Representative Medina's request for an explanation.

Motion made by Representative Cook, seconded by Representative Sumrall and unanimously carried to approve the above Resolution.

.....  
Motion made by Representative Escobar, seconded by Representative Power and unanimously carried to postpone one (1) week the discussion on the proposed guidelines recommended by the Public Works Legislative Review Committee for the Bond Overview Advisory Committee (BOAC) to consider when evaluating changing priorities for the quality of life projects.

Representative Medina read from a November 7 memo.  
Representative Cook commented on the BOAC Ordinance of April 4, 2000.  
Representative Rodriguez stated some of these criteria were being used, by verbal agreement.  
Representative Escobar commented on the guidelines.  
Mr. Gus Haddad, Chair of the BOAC, commented on the item and indicated it was tying the hands of the Committee.  
Representative Sumrall stated we should listen to the Committee.

.....

## RESOLUTION

### **A RESOLUTION DECLARING THE INTENTION OF THE CITY OF EL PASO, PURSUANT TO INTERNAL REVENUE CODE REGULATION SECTION 1.150-2(e), TO FINANCE CERTAIN EXPENDITURES TO BE INCURRED FOR YEAR 2001 CAPITAL IMPROVEMENTS FROM THE PROCEEDS OF THE SALE OF CITY TAX-EXEMPT OBLIGATIONS. (McCOMBS LANDFILL PHASE III)**

WHEREAS, the City of El Paso, Texas (the "City") is a governmental entity authorized to issue obligations to finance its activities pursuant to the laws of the State of Texas, the interest on which is excludable from gross income for federal income tax purposes ("Tax-Exempt Obligations") pursuant to Section 103 of the United States Internal Revenue Code of 1986, as amended (the "Code"); and,

WHEREAS, the City will make, or has made not more than 60 days prior to the date hereof, payments with respect to the acquisition, construction, reconstruction or renovation of the property listed on Exhibit "A" attached hereto; and,

WHEREAS, the City has concluded that it does not currently desire to issue Tax-Exempt Obligations to finance the costs associated with the property listed on Exhibit "A" attached hereto; and,  
(Exhibit on file with this Resolution in the City Clerk's Office.)

WHEREAS, the City desires to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof; and,

WHEREAS, the City reasonably expects to issue Tax-Exempt Obligations to reimburse itself for the costs associated with the property listed on Exhibit "A" attached hereto; NOW THEREFORE,

### **BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO THAT:**

Section 1. The City Council hereby declares the intention of the City of El Paso, Texas, pursuant to Regulation Section 1.150-2(e) of the United States Internal Revenue Code, to finance expenditures to be incurred from the proceeds of the sale of the City's Tax-Exempt Obligations.

Section 2. The City reasonably expects to reimburse itself for all costs that have been or will be paid subsequent to a date that is sixty days prior to the date hereof and that are to be paid in connection with the acquisition, construction, reconstruction or renovation of the property listed on Exhibit "A" attached hereto from the proceeds of Tax-Exempt Obligations to be issued subsequent to the date hereof, for the project known as the McCombs Landfill Phase III.

Section 3. The City reasonably expects that the maximum principal amount of Tax-Exempt obligations issued to reimburse the City for the costs associated with the property listed on Exhibit "A" attached hereto will not exceed \$1,115,000.00.

Section 4. The Mayor is hereby authorized to make any necessary budget appropriations or adjustments to comply with the intent expressed in this resolution.

Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to approve the above Resolution.

.....

Motion made by Representative Sariñana, seconded by Representative Sumrall and unanimously carried that the following Ordinances, having been introduced pursuant to Section 3.9 of the El Paso City Charter, be advertised for public hearing:

- A. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to reduce the speed on certain sections of Interstate Highway 10. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- B. An Ordinance amending Title 12 (Vehicles and Traffic), Chapter 12.88 (Schedules), Section 12.88.150 (Schedule XIV, Speed Limits), of the El Paso Municipal Code, to reduce the speed on certain sections of Don Haskins Drive. The penalty being as provided in Section 12.84.010 of the El Paso Municipal Code.
- C. An Ordinance granting a Special Privilege to the El Paso Convention Center in conjunction with the Association of the United States Army to temporarily close a portion of Durango Street from San Antonio Avenue to San Francisco Avenue for the display of military vehicles from December 2, 2001 through December 6, 2001. (Total Fee: \$375.00, SP-01022)

**PUBLIC HEARING TO BE HELD ON NOVEMBER 27, 2001 FOR ITEMS A - C**

- D. An Ordinance changing the zoning of Tracts 14, 15, 16, 17A and 17B, Block 42, YSLETA GRANT and the entire KENNEDY BROTHERS MEMORIAL SUBDIVISION, El Paso, El Paso County, Texas (450 Zaragosa Road) from A-2 (Apartment), A-2/sc (Apartment/Special Contract) and R-F (Ranch-Farm) to S-D (Special Development.) The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant / Representative: Housing Authority of the City of El Paso, 5300 East Paisano Drive, El Paso, TX 79905. ZC-01054
- E. An Ordinance changing the zoning of Lot 43, Block 7, STILES GARDENS, El Paso, El Paso County, Texas, (7225 Stiles) from R-5 (Residential) to C-1 (Commercial). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant / Representative: Leopoldo Samaniego, 8259 Rancho Verde, El Paso, TX 79907. ZC-01058
- F. An Ordinance changing the zoning of all of Tract 11, Block 10, UPPER VALLEY SURVEYS, El Paso, El Paso County, Texas (Artcraft Road/Borderland Spur Drain) from R-F (Ranch-Farm) to R-3A (Residential). The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: DORO Developers I, Ltd. / Representative: Moreno Cardenas, Inc., 2505 E. Missouri, El Paso, TX 79903. ZC-01059
- G. An Ordinance changing the zoning of all of Lots 1 and 2, Block 208, ALEXANDER ADDITION, El Paso, El Paso County, Texas (2501 Stanton Street) from R-4 (Residential) to S-D (Special Development) and imposing certain conditions. The penalty being as provided in Section 20.68.010 of the El Paso Municipal Code. Applicant: Maria Dolores Otero; 109 N. Mesa Street Suite 7, El Paso, TX 79901 / Representative: Wright & Dalbin Architects, Inc.; 2112 Murchison Drive, El Paso, TX 79930. ZC-01053 )

- H. An Ordinance granting Special Permit No. SU-01016, to allow for a parking reduction on the property described as all of Lots 1 and 2, Block 208, ALEXANDER ADDITION, El Paso, El Paso County, Texas (2501 Stanton Street) pursuant to Section 20.64.175, the penalty being as provided in Chapter 20.68 of the El Paso Municipal Code. Applicant: Maria Dolores Otero; 109 N. Mesa Street Suite 7, El Paso, TX 79901 / Representative: Wright & Dalbin Architects, Inc.; 2112 Murchison Drive, El Paso, TX 79930.

**PUBLIC HEARING TO BE HELD ON DECEMBER 4, 2001 FOR ITEMS D- H**

Public Hearings will be held as part of the regular City Council meeting which begins at approximately 9AM. All interested persons present shall have an opportunity to be heard at that time. After the public hearings, Council may also delay taking action on Ordinances, no requirement is made by Section 3.9B of the El Paso City Charter to publish any further notice. Copies of all Ordinances are available for review in the City Clerk's office, 2 Civic Center Plaza, Monday through Friday, 8AM to 5PM.

.....  
**ADDITIONS TO THE AGENDA**

**\*RESOLUTION**

**WHEREAS**, the CITY OF EL PASO, hereafter referred to as "the City," owns and operates the El Paso International Airport ("the Airport"); and

**WHEREAS**, the Airport desires to provide certain live entertainment for the benefit of the traveling public during the 2001/2002 holiday season; and

**WHEREAS**, musical groups from the University of Texas at El Paso, from El Paso Community College, and from public schools in the El Paso area have agreed to donate their services by providing, at no cost to the City, such entertainment for the traveling public;

**NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Director of Aviation be authorized to accept, on behalf of the City of El Paso and the El Paso International Airport, the donation of the following services: performances at the Airport during the 2001/2002 holiday season by choral or instrumental musical groups from the University of Texas at El Paso, from El Paso Community College, or from schools within the El Paso Independent School District, the Ysleta Independent School District, or the Socorro Independent School District. Such performances, to provide entertainment for the traveling public, shall be at the time and location specified by the Director of Aviation, shall not interfere with the free passage of the public within the Airport terminal area, and shall be at no cost to the City.

.....  
**\*RESOLUTION**

**WHEREAS**, the U.S. Environmental Protection Agency ("EPA") has defined "brownfields" as abandoned, idled, or underused industrial and commercial facilities where expansion or redevelopment is complicated by real or perceived environmental contamination; and

**WHEREAS**, the EPA has established the Brownfields Cleanup Revolving Loan Fund ("BCRLF") program to enable political subdivisions to facilitate the cleanup and redevelopment of brownfields properties, which program is funded under § 104(d)(1) of the Comprehensive Environmental Response, Compensation, and Liability Act of 1980, as amended ("CERCLA"); and

**WHEREAS**, a BCRLF pilot project may apply to the EPA for award of a cooperative agreement and funding of up to \$1,000,000.00 to establish a cleanup loan fund; and

**WHEREAS**, the City of El Paso, Texas ("the City"), has in place a Joint Revolving Loan Fund which was created pursuant to the terms of the May 16, 2000, Interlocal Agreement between the City and the County of El Paso; and

**WHEREAS**, the City desires to apply to the EPA for an award of a cooperative agreement and funding for the El Paso Brownfields Redevelopment Project, which would be incorporated into the City's existing Joint Revolving Loan Fund with the County, subject to compliance with the requirements of EPA and CERCLA;

**NOW THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF EL PASO:**

That the Mayor be authorized to sign an application to the Environmental Protection Agency ("EPA"), together with any related documents, for an award to the City of El Paso's Brownfields Redevelopment Project of a cooperative agreement and funding of up to \$1,000,000.00 under the EPA's Brownfields Cleanup Revolving Loan Fund program. Such agreement and funding shall provide for an additional contribution to the existing Joint Revolving Loan Fund between the City and the County of El Paso, to the extent permitted and subject to compliance with the requirements of EPA and CERCLA, to facilitate cleanup and redevelopment of brownfields properties in El Paso.

.....  
\*Motion made, seconded and unanimously carried to delete the Resolution that the Mayor be authorized to sign a Participation Agreement between the City of El Paso and the Las Palmas del Sol Sun Bowl Parade on November 22, 2001, on behalf of the City-County Health and Environmental District.

.....  
\*Motion made, seconded and unanimously carried to appoint Emmanuel R. Moreno to the Historic Landmark Commission by Representative Medina.

.....  
Motion made Representative Sariñana, seconded by Representative Escobar and unanimously carried that the City Council retire into **EXECUTIVE SESSION** pursuant to Section 3.5A of the El Paso City Charter and the Texas Government Code, Sections 551.071 - 551.076 to discuss any of the following:

Section 551.071	CONSULTATION WITH ATTORNEY
Section 551.072	DELIBERATION REGARDING REAL PROPERTY
Section 551.073	DELIBERATION REGARDING PROSPECTIVE GIFTS
Section 551.074	PERSONNEL MATTERS
Section 551.076	DELIBERATION REGARDING SECURITY DEVICES

**A.** Regarding docket number 2001-0363-AIR-E with Texas Natural Resource Conservation Commission (TNRCC). (551.071)

Motion made by Representative Cook, seconded by Representative Cobos and unanimously carried to adjourn the Executive Session and reconvene the meeting of the City Council, during which time motions were made as follows:

.....  
Motion made by Representative Medina, seconded by Representative Sumrall and carried that the claim by the Texas Natural Resource Conservation Commission (TNRCC) against the City of El Paso, TNRCC docket number 2001-0363-AIR-E, be **SETTLED** in its entirety as recommended by the City Attorney; and that the Mayor be authorized to sign, on behalf of the City, any related documentation.

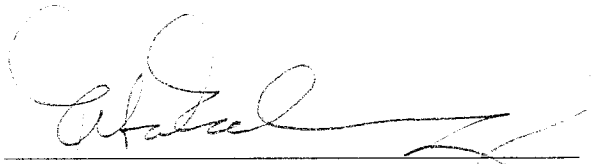
Motion made by Representative Sumrall, seconded by Representative Power and unanimously carried to adjourn this meeting at 11:44 a.m.

APPROVED AS TO CONTENT:

*Carole Hunter*

Carole Hunter, City Clerk

APPROVED AS TO FORM:



Rita Rodriguez, First Assistant City Attorney



RAYMOND C. CABALLERO  
MAYOR



## CITY COUNCIL

JAN SUMRALL  
DISTRICT NO. 1

ROSE RODRIGUEZ  
DISTRICT NO. 2

LARRY M. MEDINA  
DISTRICT NO. 3

JOHN COOK  
DISTRICT NO. 4

DANIEL S. POWER  
DISTRICT NO. 5

PAUL J. ESCOBAR  
DISTRICT NO. 6

LUIS G. SARIÑANA  
DISTRICT NO. 7

ANTHONY COBOS  
DISTRICT NO. 8

### SPECIAL CITY COUNCIL MEETING CONFERENCE ROOM, 10<sup>TH</sup> FLOOR NOVEMBER 12, 2001

The City Council met in special session at the above place and date at approximately 9:00 a.m., Mayor Raymond C. Caballero present and presiding and the following Council Members answered roll call: Jan Sumrall, Rose Rodriguez, Larry M. Medina, John F. Cook, Daniel S. Power, Luis G. Sariñana. Absent: Paul J. Escobar and Anthony Cobos.

.....  
The agenda was as follows:

Discussion and action with representatives of the Ciudad Juarez, Chihuahua, Municipal Government on border issues of mutual concern to El Paso and Ciudad Juarez.

.....  
Mayor Raymond C. Caballero made opening comments. He said the following, "this is the first time these two cities have met, and we appreciate you coming across taking your time to discuss issues we have here. Our Mayor Pro-Tem, Larry Medina, and District Representatives Jan Sumrall, Rose Rodriguez, John Cook, Dan Power and Luis Sariñana are here today to participate in this meeting. Before we get into the agenda, I want to have Mayor Jose Reyes Ferriz make a comment."

Mayor José Reyes Ferriz of Cd. Juarez commented as follows: "Thank you, I am very pleased to have been invited by the City Council of the City of El Paso. For us, it is very important to have collaboration between the two cities. We have been trying to strengthen our relationships and we want to have a stronger relationship with the United States. For Cities like El Paso and Ciudad Juarez, it is a priority to face the challenges that these times represent. It is something we have to do to get hand in hand and receive an invitation to have a historic meeting. It is very important and I really appreciate the invitation extended by the Mayor Raymond C. Caballero of El Paso and initiative to have this important meeting. Most of my Council members are represented here" and he proceeded to introduce them as follows:

Mayor Pro Tem Alvaro Navarro

Representative Arnoldo Cabada De La O - Social Development Commission

Representative C. Rebeca Soledad Baca Alvidrez - Education and Culture Commission

Representative Hilda Margarita Castillo Carrera - Sports and Public Health Commission

Representative Sara Tinajero Chavez - Tourism and Economic Development Commission

Representative Nancy Moriel Bueno - Community Development Commission

Representative Rodolfo Bermejo Rodriguez - Public Works Commission

Representative Clemente Delgadillo Ortiz - Building Services and Monument Commission

Representative Miguel Agustín Corral - Tax Commission  
Representative Jose Luis Barrios Garcia - Urban Development Commission  
Representative Norma Gutierrez Del Villar - Housing Planning Commission

Mayor Caballero stated that both cities should arrive at a mutually beneficial outcome in regards to the use of mass transit, which in turn reduces pollution, it's more comfortable for children and the elderly, and it will provide reasonable and safe transportation for tourists.

Representative Barrios Garcia commented that they are temporarily in service due to an annulled election. He proceeded to explain that he would like to discuss and explore the following three issues:

1. Customs and INS - he stated that he understands the position that the United States is in because of the terrorist attacks but that he also sympathizes with his constituents' situation when having to come over to El Paso and having to wait at the border crossing between two and three hours.
2. American Consulate service - he commented that he has used the services in the past and the paperwork process is very slow and strict with the regulations. He proceeded to explain that the process for a Visitor's passport (VISA Lazer) is very slow and that any deviation is an automatic cancellation of the whole process.
3. Rio Bravo - he explained that he is concerned with the security and cleanliness of the Rio Bravo. He commented that he believes it is the responsibility of both cities and that coming to an agreement would be beneficial to both communities.

Mayor Caballero thanked Representative Barrios Garcia for his comments. In regards to the American Consulate, the Mayor commented that he will relate his concerns to the Director for the American Consulate and hopes to have an answer soon. He stated that the customer is always right and that this is a services game. In regards to the Rio Bravo, Mayor Caballero commented that we should have some sort of a monument in what appears to be a national park and develop the area with a mutual benefit. He added that some of that land is in New Mexico, and we have no say in that portion and that another part of the land belongs to Asarco.

Representative Sariñana stated that we need to continue working together and just be patient on the border crossing issue for the sake of everybody's safety based on the terrorist attacks that the nation is facing. He proceeded to explain that months ago he turned in a petition with over 800 signatures where the residents around Yarbrough and Border Highway were complaining about a horrible and intolerable smell and about mosquitoes. He added that we were very fortunate that those mosquitoes did not make it into El Paso but he does not know where we stand with the petition. He requested that something be done in regards to this health issue that needs to be corrected.

Representative Medina welcomed our brothers and sisters from across the river and stated that this is the first time that a joint meeting has ever been held. He suggested that the negative and positive issues be addressed and that we have these joint meetings on a regular basis. He suggested coming up with a date and a plan of action so that the meetings are not useless and only become social gatherings. He questioned whether or not an Ordinance could be established in order to have regular joint meetings.

Mayor Caballero expressed his agreement with Representative Medina's idea and suggested that we institutionalize this process and have two meetings a year, one in El Paso and one in Cd. Juarez. He commented that Representative Sariñana's points bring a vast amount of issues that need to be dealt with and both cities need to work together on this and more issues.

Representative Baca Alvidrez agreed with the issues already mentioned and expressed her great concern on the horrible smell from the water plant that has not been addressed. She proceeded to explain that even

though it is a State issue, they should be able to come up with an answer, through the joint meetings, with a solution to a problem that is bothering our neighbors.

Cd. Juarez Mayor Pro-Tem Alvaro Navarro commented that as neighbors, we should worry about everything and work together to come up with solutions even if it is a State or local issue because in the end it affects our community.

Representative Power stated that we are one community where we drink the same water, breathe the same air, etc. He commented that we need to work on building this community and creating more jobs. He hopes that we build a tourism liaison between both cities because of Cd. Juarez' rich culture. He stated that we must see ourselves as one regional community.

Mayor Caballero stated that they are exploring the possibility of opening a tourism office in El Paso, and Cd. Juarez could be a part of it.

Representative Power stated that sometimes issues affecting Cd. Juarez and vice-versa come up during the year and meetings should be called aside from the semi-annual meetings. He asked that we have feasibility and flexibility to call meetings when emergency issues come up, and meet as needed.

Mayor Caballero expressed his concern and mentioned a situation where it took us three-fourths of a day on an emergency issue that was to occur in the next half hour.

Representative Sariñana mentioned that he recalls an Interlocal Agreement resolution among the three sister cities signed with Mayor Ramirez and Mayor Galindo allowing the city to participate in anything that would impact the City of El Paso and act in case of an emergency.

Mr. Charlie McNabb, Chief Administrative Officer, responded that he did not recall any agreement of that sort.

Representative Rodriguez stated that she recalls that there was a tri-state environmental agreement signed a couple of years ago and believes that it is the resolution that Representative Sariñana is talking about.

Representative Tinajero Chavez explained Cd. Juarez is considered the third highest polluted city and that the border crossing wait is a major contributor to it. She proceeded to explain that economic development in the fields of tourism and commerce and not only industrialization are very important. Business tourism in Cd. Juarez is a major contributor to our economic development. We need to implement action plans on environmental and economic development issues.

Representative Barrios Garcia mentioned that it was just a matter of sitting down and discussing areas of interest to both cities. He proceeded to suggest that we work on an agenda with specific issues, implement and act on the issues, and then come back to a joint meeting and evaluate the results.

Representative Sumrall stated that the issue of the maquiladoras moving out of town needs to be addressed since they contribute to our tax base.

Representative Miguel Corral thanked everyone for the opportunity and said that even though El Paso is very far away from Washington and Cd. Juarez is very far away from Mexico City, we should become allies. He expressed his concern on Education and commended El Paso for their great educational program. He suggested that he would like to see that children from El Paso go to Cd. Juarez and vice-versa and plant a small tree as a symbol of world peace. He stated that traditions have to start somewhere and he would like this to become a tradition for everyone to follow.

Representative Delgadillo agreed that the idea of having joint meetings with a plan of action and not only as social gathering is a great idea. He explained that they are temporarily serving the government based on an annulled election. He concluded by explaining that their districts are formed based on specific issues vs. geographical areas and that their meetings are held twice a month.

Mayor Reyes Ferriz explained that his Council cannot make a resolution at the moment, but that they would present a similar proposal addressing the priority issues at their next meeting so that the first (international) meeting can be tentatively held in the month of February in Cd. Juarez.

Motion made Representative Medina, seconded by Representative Sariñana and unanimously carried that El Paso City Council agree to meet with the Ciudad Juarez City Council for a joint City Council Meeting twice a year, one meeting in El Paso and one meeting in Cd. Juarez and no more than six months apart. The next meeting is to be held in Ciudad Juarez in the year 2002 to discuss and take action on the following:

- 1. Commerce and Tourism
- 2. Health and Safety
- 3. History and Culture
- 4. Environment and Water
- 5. Education
- 6. Miscellaneous and Other Issues

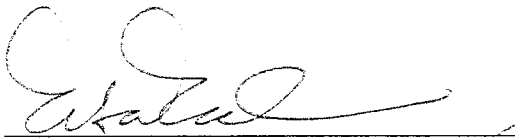
Mayor Caballero proceeded to present a proclamation to Mayor Reyes Ferriz of Cd. Juarez and a gave him a key to the City of El Paso as a token.

.....  
Motion made by Representative Rodriguez, seconded by Representative Power and unanimously carried to adjourn this meeting at 10:30 a.m.

APPROVED AS TO CONTENT:

APPROVED AS TO FORM:

Carole Hunter  
Carole Hunter, City Clerk

  
\_\_\_\_\_  
Rita Rodriguez, First Assistant City Attorney